

# PESTICIDE APPLICATION BUSINESS LICENSE INFORMATION AND REQUIREMENTS

under the

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT

(In accordance with Act No. 451, Part 83, Pesticide Control)



## PREPARED BY:

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This booklet sets forth some of the requirements of the Natural Resources & Environmental Protection Act (Act No. 451, Part 83) and Regulation No. 636, (Pesticide Applicator's), promulgated for its administration, as they pertain to a Pesticide Application Business License. (Copies of the Act and Regulations are available on the website above, or upon request from the Pesticide Application Business License Section at the above telephone number.)

## I. WHO IS REQUIRED TO BE LICENSED?

Any commercial applicator who holds him/herself out to the public as being in the business of applying pesticides within this state for compensation, **EXCEPT:**

1. Any person who applies pesticides onto premises he/she owns, leases, or operates, without compensation,
2. Veterinarians or physicians in their professional services.
3. Persons applying pesticides for private agricultural purposes, on property owned or rented by that person or his or her employer applied without compensation other than trading of personal services between producers of agricultural commodities.

## II. TO QUALIFY FOR A LICENSE

To qualify for a license, the following requirements must be met:

1. Submit a signed application on the Department's form.
2. Submit a certificate of liability insurance. (See Insurance Liability Requirements)
3. Submit the \$100.00 application fee by check or money order payable to State of Michigan.
4. The applicant must be a certified applicator or have a certified applicator in their employ. The certified applicator's credentials must cover the category(s) of licensing applied for. Note: If all categories indicated on certification application(s) have not been completed, a business license will not be issued for any category.

- **If you or your employees have recently taken certification exams, please attach copies of your receipt (s) that show the exam scores and dates.**

Any employee of a licensed commercial pesticide application firm that applies pesticides must be a certified applicator or registered technician. For all pesticide applications other than sanitizers, germicides, disinfectants or anti-microbial agents made in schools, public buildings and health care facilities, the pesticide applicator shall have participated in a verifiable Integrated Pest Management (IPM) Training Program approved by the director and a verifiable IPM program shall be in place for the building where the application is to occur.

5. Any new, previously unlicensed firm, and any firms adding new license categories, must complete the **Notarized Letter of Experience Form (PI-217)**. **This form must be NOTARIZED by a Notary Public.**
6. Submit a copy of an **assumed name certificate** if licensing under an assumed name. (Apply for this at the County Clerk's Office.)
7. **A Corporation must be authorized to conduct business in the state. (Apply for this at the Michigan Department of Consumer & Industry Services, Corporation, Securities, and Land Development Division (517) 241-6470 or Fax: (517) 334- 8329.)**

### III. EXPERIENCE REQUIREMENTS (Only for NEW firms, or firms adding new license categories)

#### 1. All firms:

Commercial applicator's required to be licensed by Sec. 8313(1) shall be certified under section 8312 and shall have at least 1 of the following in order to qualify for a license under this section:

- (a) Service for not less than 2 application seasons as an employee of a commercial applicator, or comparable education and experience as determined by the director.
- (b) A baccalaureate degree from a recognized college or university in a discipline that provides education regarding pests and the control of pests, and 1 application season of service as an employee of a commercial applicator.

As a new applicant, prior to consideration of a commercial pesticide applicator's license you may call or submit your experience requirements for tentative approval.

This information must be supplied at the time of application, on the Notarized Letter of Experience Form, signed by the person with the qualifying experience, and **NOTARIZED by a Notary Public.**

#### 2. Additional requirements for Aerial Applicators:

Commercial applicator, in addition to complying with the other requirements of Act451, shall meet 1 or more of the following requirements per sec.8315(1) before engaging in the aerial application of pesticides:

- (a) Attainment of at least 3 years of experience with not fewer than 200 hours of agricultural aerial application under the supervision of a commercial aerial applicator.
- (b) Be previously licensed as a commercial aerial applicator before December 27, 1988.
- (c) Successfully complete an aerial applicator training program recognized by the director as sufficient to assure the protection of the public health, safety, and welfare, and the environment.

### IV. BUSINESS LICENSE CATEGORIES

#### APPLICATION CATEGORIES

- 1A. FIELD CROPS - Includes agricultural crops such as cereal grains, feed grains, beans, soybeans, sugar beets and forage.
- 1B. VEGETABLE CROPS - Includes vegetables crops such as tomatoes, potatoes, snap beans, celery, onions, cucurbits, cole crops and sweet corn.
- 1C. FRUIT CROPS - Includes tree fruits, blueberries, strawberries, and raspberries.
- 1D. LIVESTOCK PEST MANAGEMENT - The application of pesticides to animals and to places on or in which animals are confined. (Includes Doctors of veterinary medicine engaged in the business of applying pesticides for hire, aside from the normal practice of veterinary medicine.)
- 2. FOREST PEST MANAGEMENT - Includes forests, forest nurseries and forest seed producing areas, Christmas trees and gypsy moth control.
- 2A. FOREST PRODUCTS PRESERVATION - Includes the use of pesticides for preserving wood products such as poles, timbers and lumber.
- 3A. TURFGRASS PEST MANAGEMENT - Includes persons who use, or supervise the use of pesticides to manage pests of turfgrasses.
- 3B. PLANTS & SHADE TREE PEST MANAGEMENT - The use of pesticides to manage pests of ornamental plants in exterior areas such as evergreens, shrubs and shade trees.
- 4. SEED TREATMENT - The application of pesticides on seeds.
- 5. AQUATIC PEST MANAGEMENT - The application of pesticides to standing or running water, i.e., lakes, ponds, streams, marshes, or ditches and tributaries which flow into them or the surfaces that contact such bodies of water for the purpose of managing aquatic pests. This category does not include applicators who engage in mosquito management.
- 5A. SWIMMING POOLS - Includes pesticides used in maintaining public or private swimming pools to control algae, bacteria or other swimming pool pests.
- 5B. MICROBIAL PEST MANAGEMENT - The use of pesticides to manage bacteria, fungi, algae or viruses in cooling towers, air washers, evaporative condensers, pulp and paper mills, sewer treatment, cutting tool lubricants, etc.
- 5C. SEWER LINE PEST MANAGEMENT - The use of pesticides to manage vegetation in sewer lines.
- 6. RIGHT-OF-WAY PEST MANAGEMENT - The use of pesticides to maintain public roads, electric power lines, ditch banks, pipelines, railway rights-of-way, parking lots, and similar non-crop areas. Activities such as those included in Category 9 are excluded.
- 7A. GENERAL PEST MANAGEMENT - Is comprehensive and intended to include aspects of pest control in and around structures. Category 7D is included in category 7A when controlling vertebrate pests typically associated with a structure, such as rats, mice and roosting birds.
- 7B. WOOD DESTROYING ORGANISM PEST MANAGEMENT - Includes the use of pesticides for the management of wood-destroying pests such as the following: termites, powder post beetles, carpenter ants, wood destroying fungi, etc.

- 7D. **VERTEBRATE PEST MANAGEMENT** - Includes the use of pesticides to manage vertebrate pests.
- 7E. **INTERIOR PLANT PEST MANAGEMENT** - Includes the use of pesticides in the maintenance of plants at inside locations.
- 7F. **MOSQUITO MANAGEMENT** - Includes pesticides used to manage mosquitoes in an outside environment.
- 7G. **DOMESTIC ANIMAL PEST MANAGEMENT** - Refers to pesticide applications made on small domestic animals or in places where animals are kept. This category of pesticide application does not apply to large agricultural animals. (See category 1D).

### **STANDARDS OF APPLICATION**

- AE. **AERIAL APPLICATION** - Includes performing pest control operations with aircraft.
- FM. **FUMIGATION** - Includes performing pest control operations with fumigants for structural, soil, and stored pests.

## **V. PROOF OF FINANCIAL RESPONSIBILITY**

Proof of financial responsibility must be submitted in the form of a certificate of comprehensive general liability insurance.

1. Certificate of insurance must show the current **legal** name and address of the licensee as the insured.
2. Certificate of insurance must show the effective date and expiration date.
3. Certificate of insurance must show the limits of liability. Insurance liability requirements are:
  - A. For Aerial Application, Fumigation and Right-of-Way Pest Control:
    - ◆ Not less than \$100,000 for bodily injury for each occurrence.
    - ◆ Not less than \$25, 000 for property damage for each occurrence.
    - ◆ A combined single limit of \$300,000 for bodily injury and property damage.
  - B. All other license categories:
    - ◆ Not less than \$100,000 for bodily injury for each occurrence.
    - ◆ Not less than \$25,000 for property damage for each occurrence
4. If a licensee is qualified in 2 or more license categories with different minimum liability requirements, the greater requirement shall apply.
5. A single comprehensive liability insurance policy may be written to provide financial responsibility coverage for more than 1 licensed place of business owned and operated by the same person.

## **VI. ADDITIONAL RESPONSIBILITIES OF LICENSEES**

1. The licensee is required to notify the Michigan Department of Agriculture of any change in status of a certified applicator named on a license application. The licensee must notify the Department of any change in business name or address.
2. The licensee must maintain insurance during the licensing period, or during the period of time necessary to span a seasonal operation.
3. The licensee is responsible for seeing that a current certificate of insurance is sent to the Michigan Department of Agriculture when the previous certificate has expired.

## **VII. GENERAL INFORMATION**

### **COMPLETING THE APPLICATION**

Business license applications, forms and other information are available on the MDA website. Visit us at [www.michigan.gov/mda](http://www.michigan.gov/mda)

1. Fill in all parts of the application form. (Indicate "N/A" if not applicable.)
2. Print or type where requested to do so.
3. Indicate categories in which you are applying for a license.
4. Complete signature portion.
5. Submit appropriate fee with the application. (Make checks payable to "State of Michigan.")
6. Submit certificate of current liability insurance for bodily injury, property damage, including effective and expiration dates.
7. Each license expires annually on December 31.
8. The license may be renewed by meeting the same requirements as for a new license.